Amendments to the Drawings:

The attached sheets of drawing includes changes to Fig. 1. This sheet which contains Fig. 1, replaces the original sheet including Fig. 1. Figure 1 has been amended to include the legend "Prior Art" and the other figures have been redrawn to improve their form.

Attachment: Replacement Sheets

REMARKS

The present invention is a method for data extraction from a data stream containing at least one data packet and a device for data extraction from a data stream containing at least one data packet. A method for data extraction from a data stream containing at least one data packet in accordance with an embodiment of the invention includes comparing a bit stream derived from a received digital data stream with an expected bit sequence to determine a correlation value (Corr Val) for detecting a data packet; starting data extraction when the correlation value exceeds a threshold value (Corr Thres) indicating that a data packet has been received; storing the correlation value that exceeds a threshold value as a maximum correlation value (Max Corr Val) for use as a new threshold value; continuing comparing the received bit stream with the expected bit sequence to determine a new correlation value; and restarting data extraction when the new correlation value exceeds the stored maximum correlation value.

The drawings stand objected to with the Examiner requiring the legend "Prior Art" to be added to Figure 1. Replacement drawings are submitted herewith which make the change which the Examiner has required in Figure 1 and improve the drawings for issuance as a patent.

The specification stands objected to regarding the status of the referred to US patent application. The cross reference to related application and the specification has been updated to reflect the current status.

Claims 7 - 11 stand rejected under 35 USC 112, second paragraph, as being indefinite regarding the Examiner's contention regarding the Examiner's statement

that the claim is a hybrid claim. Newly submitted claims 12 - 21 have been drafted to overcome the stated grounds of rejection.

Claims 1 - 3 stand rejected under 35 USC 102 as being anticipated by United States Patent No. 5,278,862 (Vander Mey '862). These grounds of rejection are traversed for the following reasons.

Newly submitted independent claims 12 and 18 respectfully define a method for data extraction from a data stream containing at least one data packet and a device for data extraction from a data stream containing at least one data packet which substantively recite inter alia, starting data extraction when the correlation value exceeds a threshold value indicating that data has been detected; storing the correlation value that exceeds a threshold value as a maximum correlation value for use as a new threshold; continuing comparing the received bit stream with the expected bit sequence to determine a new correlation value; and restarting data extraction when the new correlation value exceeds the stored maximum correlation value. This subject matter is not taught by Vander Mey '862. While Vander Mey '862 utilizes a threshold comparator 156 to output signals indicating whether the correlator output exceeds a positive threshold, nominal or a negative threshold which are utilized by a data extraction circuit 158, this subject matter does not meet the aforementioned subject matter regarding correlation values that exceed a threshold value, which are stored as a maximum correlation value for use as a new threshold value; continuing comparing the received bit stream with the expected bit sequence to determine a new correlation value; and restarting data extraction when the new correlation value exceeds the stored maximum correlation value.

Moreover, a person of ordinary skill in the art would not be led to modify the teaching of Vander Mey '862 to arrive at the subject matter of newly submitted claims 12 - 21.

Claims 1 - 3 and 5 - 8 stand rejected under 35 USC 102 as being anticipated by United States Patent 5,359,625 (Vander Mey et al '625). These grounds of rejection are traversed for the same reasons set forth above with respect to Vander Mey '862. Vander Mey et al '625 do not disclose the aforementioned substantive recitation in independent claims 12 and 18 of starting data extraction when the correlation value exceeds a threshold value indicating that a data packet has been detected; storing the correlation value that exceeds a threshold value as a maximum correlation for use as a new threshold; continuing comparing a received bit stream with the expected sequence to determine a new correlation value; and restarting data extraction when the new correlation value exceeds the stored maximum correlation value. Vander Mey et al '625 disclose a correlator 42 and a synchronizing tracking and data extraction logic 44 which utilize thresholds. However, this subject matter involving thresholds does not meet the aforementioned subject matter. See column 5, lines 10 - 31, column 7, lines 8 - 17 and column 9, lines 43 - 57.

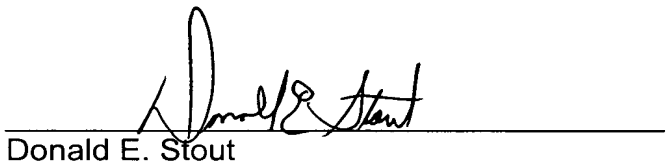
Moreover, there is no basis why a person of ordinary skill in the art would be led to modify the teaching of Vander Mey et al '625 to arrive at the subject matter of newly submitted claims 12 - 21.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 1123.40738X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



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